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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/009,160

12/06/2001

Manfred Wiedemer

P01,0352

8651

26574

7590

08/04/2006

SCHIFF HARDIN, LLP
PATENT DEPARTMENT
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EXAMINER

NGUYEN, ANTHONY H

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/009,160	Applicant(s) WIEDEMER ET AL.	
	Examiner Anthony H. Nguyen	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-32 and 39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20,21,23-32 and 39 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>05/26/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 20,21,23,24, 26, 32 and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Bupara (US 4,675,694).

With respect to claims 20,23, 26, 32 and 39, Bupara teaches the method for transferring printing fluid 21 onto the carrier material 23 by influencing a surface tension of the printing fluid so that the ink is arced outward into contact with the carrier mater (Bupara, Fig.7. The printing fluid is not transferred to the carrier material when the surface tension is not influenced as shown in Fig.6 of Bupara. Note that the surface tension of the printing liquid is inherently changed so that the surface of the printing liquid is arced outward or inward corresponding to the surface tension of the printing liquid which has a variety of values when the printing liquid is subjected to the changes of temperature or light.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 25 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Bupara (US 4,675,694) in view of Inoue et al. (US 4,748,458).

Bupara teaches the method for transferring printing fluid onto the carrier material having substantially the steps as recited. Bupara does not teach the step of changing the surface tension by varying an ionization of the printing fluid. Inoue et al. teaches the step of changing the surface tension of a printing fluid 6 by ionization the printing liquid which is subjected to an electric field between the electrode 14 and the conductive layer 12 in the recording head 1 as shown in Fig.2 of Inoue et al. In view of the teaching of Inoue et al., it would have been obvious to one of ordinary skill in the art to modify the method of Bupara by providing the step of changing the surface tension of the printing liquid by varying an ionization of the printing fluid as taught by Inoue et al. for simplicity design of a printing apparatus.

Claims 27, 28, 30 and 31 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Bupara (US 4,675,694) in view of Gundlach (US 3,655,379).

With respect to claims 27, 30 and 31, Bupara teaches the method for transferring printing fluid onto the carrier material having substantially the steps as recited. Bupara does not teach the use of a color of the printing fluid. Gundlach teaches the method for transferring printing fluid 26 onto the carrier material 27 by influencing a surface tension of a color printing fluid and additives or color pigments (Gundlach, col.2 lines 27-39) via the radiation or a light 29 (Gundlach, Figs.1 and 2). In view of the teaching of Gundlach, it would have been obvious to

one of ordinary skill in the art to modify the method for transferring printing fluid of Bupara by substituting the color printing fluid as taught by Gundlach to obtain a desired color image.

Claim 29 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Bupara in view of Gundlach as applied to claims 27, 28, 30 and 31 above, and further in view of Wiedemer (US 5,760,808).

Bupara and Gundlach teach the method for transferring printing fluid onto the carrier material having substantially the steps as recited except the use of depressions which are arranged on a drum-shaped surface. Wiedemer teaches the conventional use of a printing drum 10 which includes depressions 30 which are arranged in a matrix form on the surface of the printing drum as shown in Figs. 2 and 3 of Wiedemer. In view of the teaching of Wiedemer, it would have been obvious to one of ordinary skill in the art to modify the depressions of Bupara and Gundlach by providing the depressions which are arranged on the surface of a drum as taught by Wiedemer for quickly printing of a selected image onto a carrier material.

Allowable Subject Matter

As presently advised it appears that claim 22 avoid the prior art but is objected to as depending from the rejected claim. This claim if properly rewritten in independent form would be allowable.

The primary reason for allowance of claim 22 is that the prior art of record does not teach the first surface tension has a first value at which the surface of the printing fluid is arced outward into contact with the carrier material.

Response to Arguments

Applicants' arguments filed on May 26, 2006 have been fully considered but they are not persuasive of any error in view of the new ground(s) of rejection(s).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

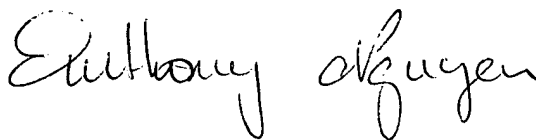
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169.

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The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen, can be reached on (571) 272-2258.

The fax phone number for this Group is (571) 273-8300.

A handwritten signature in black ink, reading "Anthony Nguyen". The signature is written in a cursive, flowing style.

Anthony Nguyen
07/31/2006
Patent Examiner
Technology Center 2800